

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HEZEKIAH ESAU BAKER,
 Plaintiff,

v.

DRAGON MOTEL INC., *et al.*,
 Defendants.

Case No.: 2:23-cv-01875-GMN-NJK

ORDER

[Docket No. 30]

Plaintiff Hezekiah Esau Baker filed an amended complaint without leave of court and without Defendants' consent. Docket No. 30. "If an amended pleading can not be made as of right and is filed without leave of court or consent of the opposing party, the amended pleading is a nullity and without legal effect." *Hardin v. Wal-Mart Stores, Inc.*, 813 F. Supp. 2d 1167, 1181 (E.D. Cal. 2011); *Westmoreland v. Lake's Crossing Ctr.*, 2017 WL 6614100, at *1 n.1 (D. Nev. Dec. 27, 2017) (Du, J.). A rogue amended pleading is properly stricken from the docket. *See Hardin*, 813 F. Supp. 2d at 1181.

Accordingly, the Clerk's Office is **INSTRUCTED** to strike the amended complaint (Docket No. 30) from the docket.¹ The initial complaint remains the operative complaint. Docket No. 1.

IT IS SO ORDERED.

Dated: February 28, 2024


 Nancy J. Koppe
 United States Magistrate Judge

¹ Because nothing herein prevents Plaintiff from properly seeking leave to amend should appropriate grounds exist for doing so, this ruling is nondispositive and is fashioned as an order. *See, e.g., Slocum v. Fowler*, 2018 WL 4468998, at *4 (D. Nev. Sept. 18, 2018) (Hoffman, J.); *Allen v. Clark Cty. Detention Ctr.*, 2011 WL 2014780, at *1 (D. Nev. May 23, 2011) (Foley, J.).